

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

RADIO ENTERPRISES OF KENTUCKY, INC. )  
d/b/a METRO-PAGE )  
COMPLAINANT )

VS. )

CASE NO. 10185 )

COMMONWEALTH TELECOMMUNICATIONS, INC., )  
RADIO COMMUNICATIONS CORPORATION AND )  
METRO TELECOMMUNICATIONS OF KENTUCKY, )  
INC., )  
DEFENDANTS )

O R D E R

On March 7, 1988, Radio Enterprises of Kentucky, Inc., d/b/a MetroPage filed a complaint alleging that Commonwealth Telecommunications, Inc., Metro Telecommunications of Kentucky, Inc., and Radio Communications Corporation ("Defendants") are providing one-way radio paging services within Kentucky at rates different than those contained in the filed tariffs of the respective Defendants. The matter was docketed as a formal complaint. An Order to Satisfy or Answer was issued March 15, 1988. A Motion to Dismiss and the Answer of the Defendants was filed on March 28, 1988.

The various counts of the complaint filed by Radio Enterprises of Kentucky, Inc., involve only one-way radio paging services. In the Commission's May 12, 1988, Order in Administrative Case No. 322, Commission Jurisdiction Over One-Way Radio Paging Services, it found that persons providing only one-way

radio paging services are not utilities within the meaning of KRS 278.010(3)(e). The Commission also ordered that one-way paging services provided by jurisdictional radio common carriers (i.e., those providing two-way mobile services) be detariffed.

The Commission, having found that it lacks jurisdiction over one-way radio paging, therefore lacks the ability to grant the relief requested by the Complainants.

IT IS THEREFORE ORDERED that this case be and it hereby is dismissed.

Done at Frankfort, Kentucky, this 17th day of May, 1988.

PUBLIC SERVICE COMMISSION

Richard D. Herman, Jr.  
Chairman

Robert M. Davis  
Vice Chairman

James M. Wilkins  
Commissioner

ATTEST:

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Executive Director